

**PROPOSITION 103**  
**HOUSE CONCURRENT RESOLUTION 2036**  
**English as official language**

**ANALYSIS BY LEGISLATIVE COUNCIL**

Proposition 103 would replace the existing provision of the Constitution of Arizona with a new provision establishing English as the official language of this state. Representatives of the state or a local government would be required to preserve, protect and enhance the role of English as the official language.

Proposition 103 would require that all official actions of the government be conducted in English. Official actions include actions on behalf of the government that appear to present the position of the government or that bind the government. The proposition specifies situations in which state or local government could act in a language other than English, including:

1. When required by federal law or when necessary to preserve the right to petition the government.
2. In teaching languages other than English, or in using or preserving Native American languages.
3. In actions to protect the public health and safety, including law enforcement and emergency services, or to protect the rights of crime victims and criminal defendants.
4. Providing assistance to hearing impaired or illiterate persons.
5. In informal or nonbinding communications or translations among or between government officials and the public.
6. For actions necessary for tourism, commerce or international trade.

Proposition 103 would prohibit discrimination against a person because the person uses English in any public or private communication.

Proposition 103 also would allow a person who resides or does business in Arizona to enforce this new constitutional requirement in court. However, a person shall not file an action under this section unless the person has notified the attorney general of the alleged violation and the attorney general or other appropriate representative of government has not provided appropriate relief within a reasonable time under the circumstances. If the person is successful, they may be awarded costs and reasonable attorney fees.